

17638 U.S. PTO
111403

Attorney Docket No. TRNSV-029C2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Flaherty, et al.)
Application No.: To Be Determined)
Filed: November 14, 2003, Herewith)
For: Tissue Penetrating Catheters Having)
Integral Imaging Transducers and Their)
Methods of Use)

Art Unit: To Be Determined

Examiner: To Be Determined

22141 U.S. PTO
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Transmittal of a Continuation Utility Patent Application

Express Mail mailing label no. EV 330361258 US

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith for filing is the continuation utility patent application for "Tissue Penetrating Catheters Having Integral Imaging Transducers and Their Methods of Use."

- ☒ The applicant(s) hereby request(s) the filing of the continuation patent application under 37 CFR §1.53(b) as a continuation of U.S. Patent Application Serial No. 10/033,836 filed on December 26, 2001, which is a continuation of U.S. Patent Application Serial No. 09/282,774 filed on March 31, 1999, now issued as U.S. Patent Serial No. 6,375,615, which claims priority to U.S. Provisional Application No. 60/080,196, filed March 31, 1998 and is a continuation-in-part of U.S. Patent Application Serial No. 08/837,294, filed on April 11, 1997, now issued as U.S. Patent Serial No. 6,302,875, which itself is a continuation-in-part of two-earlier filed applications, namely; U.S. Patent Application No. 08/730,327 filed October 11, 1996, now issued as U.S. Patent No. 6,190,353 and 08/730,496, filed October 11, 1996, now issued as U.S. Patent No. 5,830,222, and both of which claim priority to earlier-filed U.S. Provisional Patent Application Nos. 60/005,164 filed October 13, 1995 and 60/010,613 filed February 2, 1996. No amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.
- ☒ A true copy of the following are enclosed:

- ☒ the prior application as filed, including all 60 pages of specifications (including 29 pages of written description; 16 pages of claims (Claims 1-47), 1 page of Abstract and 14 sheets of drawings; and
- ☒ the declaration of inventorship showing the signatures or an indication it was signed.
- ☐ Applicant hereby requests that the above-referenced patent application, filed concurrently herewith, **NOT BE PUBLISHED** under 35 U.S.C. §122(b). In making this request, applicants certify that the invention disclosed in the application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at 18 months after filing.
- ☐ Please delete the names of the following persons who are not inventors of the invention being claimed in this divisional application:
- ☒ Please amend the specification after the granting of a filing date herein by inserting before the first line the sentence: --This is a continuation of U.S. Patent Application Serial No. 10/033,836 filed on December 26, 2001, which is a continuation of U.S. Patent Application Serial No. 09/282,774 filed on March 31, 1999, now issued as U.S. Patent Serial No. 6,375,615, which claims priority to U.S. Provisional Application No. 60/080,196, filed March 31, 1998 and is a continuation-in-part of U.S. Patent Application Serial No. 08/837,294, filed on April 11, 1997, now issued as U.S. Patent Serial No. 6,302,875, which itself is a continuation-in-part of two-earlier filed applications, namely; U.S. Patent Application No. 08/730,327 filed October 11, 1996, now issued as U.S. Patent No. 6,190,353 and 08/730,496, filed October 11, 1996, now issued as U.S. Patent No. 5,830,222, and both of which claim priority to earlier-filed U.S. Provisional Patent Application Nos. 60/005,164 filed October 13, 1995 and 60/010,613 filed February 2, 1996--.
- ☒ Please amend the claims by canceling claims 1 -19 and 29 - 47. Applicant will file a subsequent preliminary amendment presenting new claims for prosecution.
- ☒ Check No. 3226 covering the filing fee in the amount of \$385.00 accompanies this application, calculated as follows:

	(Col. 1)	(Col. 2)	Small entity			Other than a	
For	No. Filed	No. extra	Rate	Fee	Or	Rate	Fee
Basic fee				\$ 385	Or		\$
Total claims	9 - 20 =	0	x 0	\$	Or	x 18	\$
Indep claims	1 - 3 =	0	x 0	\$	Or	x 78	\$
- Multiple dependent claims presented		+ 130		\$	Or	+ 260	\$
			Total	\$385	Or	Total	\$

- ☒ An Assignment of the invention to TransVascular, Inc., was previously recorded for Serial No. 09/282,774, Recordation date June 28, 1999 on Reel 010059, Frame 0754.

- ☐ A Statement of Ownership and Power of Attorney.
- ☒ The Commissioner is hereby authorized to charge any underpayment and credit any overpayment of the filing fees required under 37 CFR § 1.16 and any patent application processing fees required under 37 § CFR 1.17 to Deposit Account No. 50-0878.
- ☒ Fourteen (14) sheets of formal drawings are enclosed.
- ☒ The undersigned is the Applicant's attorney of record in the prior application, and all future communications should be addressed to the undersigned at the new address shown herebelow.
- ☐ The statement(s) of Small Entity Status filed in the prior application is no longer proper and is hereby withdrawn.
- ☒ An information disclosure statement is enclosed.

STOUT, UXA, BUYAN & MULLINS, LLP

Date: November 14, 2003



Robert D. Buyan, Reg. No. 32,460

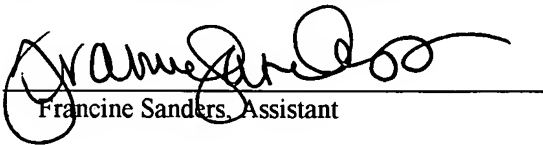
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Facsimile: (949) 450-1764

CERTIFICATE OF MAILING

I hereby certify that this Transmittal letter, the above-identified documents and papers, and a return postcard are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on November 14, 2003 and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: November 14, 2003

By:


Francine Sanders, Assistant

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